IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.115 OF 2001

1) Mohamad Iqbal Farooq Sheikh
Aged 22 years, residing at
Padmanagar Hutment Road No.14,
Shivaji Nagar, Govandi, Mumbai..Appellant/accused No.2.

2) Salim Aziz Shah,
aged 26 years, residing at
Haji Namdar Doodwale ki chawl,
Room No.A/53, Quresh Nagar,
Kurla(E), Mumbai 400 070. ..Appellant/accused No.3.

V/s.

1. State of Maharashra.
at the instance of Inspector of Police
Bandra Police State
Vide C.R.No.144/99. ..Respondent/-complainant.

Shri Nitin Sejpal, appointed as amicus curiae for Appellant No.1/accused No.2.

Shri Nitin Sejpal with Ms.Pooja P. Bhojane for appellant No.2/accused No.3.

Shri V.B.Konde-Deshmukh, APP for Respondent-State.

CORAM: A.M.KHANWILKAR,J

DATE: SEPTEMBER 4 & 5, 2006.

P.C. :

1. For the reasons separately recorded in the Judgment pronounced in open court today, following operative order is passed.

. Hence, this appeal is allowed. The impugned Judgment and order is set aside. The appellants are acquitted of the charge, for which they were found guilty by the trial Court. The appellants be set at liberty, unless required to undergo sentence in any other offence. Ordered accordingly.

. All concerned to act on the copy of the operative order passed by this court to be issued duly authenticated by the office.